

#1264  
8/12/04

Docket No.: 49581-P023US-09906909  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of: Jerry Thomas Bolton, Jr.

Application No.: 09/757,798

Confirmation No.: 7350

Filed: January 9, 2001

Art Unit: 2634

For: DELTA-SIGMA MODULATOR SYSTEM  
AND METHOD

**RECEIVED**

JUL 28 2004

Technology Center 2600

**DECLARATION OF JERRY THOMAS BOLTON, JR.**

**SUBMITTED UNDER 37 C.F.R. § 1.131**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

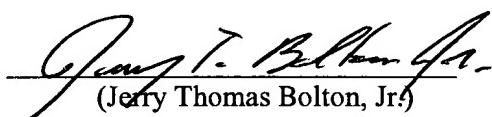
I, Jerry Thomas Bolton, Jr., being of legal age and capacity, upon personal knowledge, declare as follows:

1. My name is Jerry Thomas Bolton, Jr., I am the inventor of the invention claimed in United States patent application serial number 09/757,798 (the '798 application).
2. I was, at all times pertinent to this declaration, an employee of Microtune (Texas), L.P. ("Microtune"), the assignee of the above identified patent application.
3. Prior to December 12, 2000, I conceived the idea of a multi-staged delta-sigma modulator system and method in which a reference signal is varied in subsequent stages of the delta-sigma modulator, as set forth in the claims of the '798 application.

4. Prior to December 12, 2000, the invention of each of claims 1-11, 13-18, 20, 21, and 23, as conceived by me, was actually reduced to practice by Microtune in an integrated circuit microtuner system as one or more of the XP2 A0, MT2003, MT2032, and MT2030 microtuner projects.
5. Although the dice for each of the XP2 A0, MT2003, MT2032, and MT2030 microtuner projects were packaged into integrated circuit housings outside of the United States, all semiconductor processing layers for each of these projects was taped out, the integrated circuit dice were fabricated, and the integrated circuit microtuner systems were tested, and thus my invention found to be ready for patenting, within the United States.

I hereby declare that all statements made herein of my own knowledge are true and correct, that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: 7/19/04

  
(Jerry Thomas Bolton, Jr.)